

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

United States of America,

v.

Sterling Vernard Green

Crim. No. 4:06-cr-01322-TLW-4

Order

This matter is before the Court on Defendant’s motion for reconsideration of the denial of his motion for a sentence reduction pursuant to the First Step Act of 2018, Pub. L. No. 115-391, 132 Stat. 5194. “Because there is no provision in the Federal Rules of Criminal Procedure that governs a motion for reconsideration, courts are guided by analogy to the standards established by the civil rules.” *United States v. Mallory*, 337 F. Supp. 3d 621, 626 (E.D. Va. 2018) (citation omitted). Under the civil rules, a Rule 59(e) motion may only be granted “(1) to accommodate an intervening change in controlling law; (2) to account for new evidence not available at trial; or (3) to correct a clear error of law or prevent manifest injustice. It is an extraordinary remedy that should be applied sparingly.” *Mayfield v. Nat’l Ass’n for Stock Car Auto Racing, Inc.*, 674 F.3d 369, 378 (4th Cir. 2012) (citations omitted).

The Court has considered the arguments he now raises in this motion, including his current statutory and Guidelines ranges, and his commendable achievements while in prison. However, for the reasons set forth in the Court’s prior order denying his First Step Act motion, which the Court incorporates here, the Court concludes that a sentence reduction in his case is not warranted. Accordingly, his motion for reconsideration, ECF No. 524, is **DENIED**.

IT IS SO ORDERED.

s/ Terry L. Wooten
Terry L. Wooten
Senior United States District Judge

September 1, 2020
Columbia, South Carolina